



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4652

Introduced 01/12/06, by Rep. Kevin A. McCarthy

SYNOPSIS AS INTRODUCED:

105 ILCS 5/30-15.25	from Ch. 122, par. 30-15.25
110 ILCS 210/1	from Ch. 144, par. 1331
110 ILCS 210/3	from Ch. 144, par. 1333

Amends the Illinois Financial Assistance Act for Nonpublic Institutions of Higher Learning. Changes the short title to the Baccalaureate Completion Matching Grant Act (and makes conforming changes in the School Code). Makes changes concerning the calculation of the formulae and the conditions of institutional eligibility for the grants under the Act. Effective July 1, 2006.

LRB094 17815 AMC 53116 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 30-15.25 as follows:

6 (105 ILCS 5/30-15.25) (from Ch. 122, par. 30-15.25)

7 Sec. 30-15.25. (a) As used in this Section, the term
8 "public institution of higher education" includes: the
9 University of Illinois; Southern Illinois University; Chicago
10 State University; Eastern Illinois University; Governors State
11 University; Illinois State University; Northeastern Illinois
12 University; Northern Illinois University; Western Illinois
13 University; the public community colleges of the State; and any
14 other public universities, colleges and community colleges now
15 or hereafter established or authorized by the General Assembly.
16 The term "nonpublic institution of higher education" includes
17 any educational organization in this State, other than a public
18 institution of higher education, which provides a minimum of an
19 organized 2 year program at the private junior college level or
20 higher and which operates not-for-profit and in conformity with
21 standards substantially equivalent to those of public
22 institutions of higher education.

23 (b) Each public institution of higher education shall
24 disclose the terms, restrictions and requirements attached to
25 or made a part of any endowment, gift, grant, contract award or
26 property of any kind or value in excess of \$100,000 made to
27 such institution, or to any school, college, division, branch
28 or other organizational entity within or forming a part of such
29 institution, by a foreign government or an individual who is
30 neither a citizen nor a resident of the United States, in any
31 calendar or fiscal year. If the foreign government or
32 individual donates more than one gift in any calendar or fiscal

1 year, and the total value of those gifts exceeds \$100,000, such
2 institution shall report all the gifts received. This
3 subsection shall not apply to funds that public institutions of
4 higher education receive from grants and contracts through
5 either the federal government or the State of Illinois.

6 (c) The provisions of this subsection apply to each
7 nonpublic institution of higher education: (i) which receives
8 any grant or award under the Illinois Financial Assistance Act
9 for Nonpublic Institutions of Higher Learning, the
10 Baccalaureate Completion Matching Grant Act, or ~~under~~ the
11 Higher Education Cooperation Act, or (ii) which is a
12 participant in a program of interinstitutional cooperation
13 administered by a not-for-profit organization that is
14 organized to administer such program under the Higher Education
15 Cooperation Act and that receives any grant under and in
16 furtherance of the purposes of that Act, or (iii) which
17 receives any grant or distribution of grant moneys appropriated
18 from the State Treasury or any fund therein to such institution
19 or to the Board of Higher Education for distribution to
20 nonpublic institutions of higher education for purposes of
21 Section 4 of the Build Illinois Bond Act or for any other
22 purpose authorized by law. Each nonpublic institution of higher
23 education to which the provisions of this subsection apply
24 shall disclose the terms, restrictions and requirements
25 attached to or made a part of any endowment, gift, grant,
26 contract award or property of any kind or value in excess of
27 \$250,000 made to such institution, or to any school, college,
28 division, branch or other organizational entity within or
29 forming a part of such institution, by a foreign government or
30 an individual who is neither a citizen nor a resident of the
31 United States, in any calendar or fiscal year. If the foreign
32 government or individual donates more than one gift in any
33 calendar or fiscal year, and the total value of those gifts
34 exceeds \$250,000, such institution shall report all the gifts
35 received.

36 (d) Such information shall be forwarded to the Attorney

1 General no later than 30 days after the final day of each
2 calendar or fiscal year of such institution, whichever type of
3 year is used by the institution in accounting for the gifts
4 received for the purposes of this Section. The information
5 shall include:

6 (1) the name of the foreign government in the case of a
7 gift by a government, or the name of the foreign country of
8 which an individual donor is a citizen, in the case of a
9 gift by an individual;

10 (2) the amount and the date of the contribution or
11 contributions;

12 (3) when the gift is conditional, matching or
13 designated for a particular purpose, full details of the
14 conditions, matching provisions or designation; and

15 (4) the purpose or purposes for which the contribution
16 will be used.

17 Such information shall be a matter of public record.

18 (Source: P.A. 89-4, eff. 1-1-96.)

19 Section 10. The Illinois Financial Assistance Act for
20 Nonpublic Institutions of Higher Learning is amended by
21 changing Sections 1 and 3 as follows:

22 (110 ILCS 210/1) (from Ch. 144, par. 1331)

23 Sec. 1. Short title. This Act ~~shall be known and~~ may be
24 cited as the Baccalaureate Completion Matching Grant Act
25 ~~"Illinois Financial Assistance Act for Nonpublic Institutions~~
26 ~~of Higher Learning"~~.

27 (Source: P.A. 77-273.)

28 (110 ILCS 210/3) (from Ch. 144, par. 1333)

29 Sec. 3. Grants.

30 (a) For the academic year beginning in 2002, institutional
31 grants may be made for that and for each succeeding academic
32 year through the academic year beginning in 2005 to each
33 nonpublic institution of higher learning in an amount

1 determined by allocating amounts for funding this Act among the
2 eligible institutions in accordance with a formula or formulae
3 based upon one or more of the following factors: the number of
4 undergraduate degrees granted to students who are residents of
5 the State of Illinois enrolled as students at each such
6 institution; the number of full-time equivalent undergraduate
7 students who are residents of the State of Illinois enrolled as
8 students at each such institution; and the number of full-time
9 equivalent of such students who are junior or senior students
10 at such institutions. The Board of Higher Education shall
11 establish formula allocations and adopt rules necessary for the
12 administration of this Act.

13 Conditions of institutional eligibility for these grants
14 shall include but need not be limited to the following:

15 (1) That the governing board of the institution possess
16 its own sovereignty.

17 (2) That the governing board, or its delegated
18 institutional officials, possess final authority in all
19 matters of local control, including educational policy,
20 choice of personnel, determination of program, and
21 financial management.

22 (3) That the institution possess and maintain an open
23 policy with respect to race, creed and color as to
24 admission of students, appointment of faculty and
25 employment of staff.

26 (4) That the institution be able to show its current
27 financial stability and reasonable prospects for its
28 future stability.

29 (5) That the institution not be operated for profit.

30 (6) That the institution provide a full financial
31 report including a certified audit, and participate in the
32 unit cost study and other studies conducted annually by the
33 Board of Higher Education.

34 (7) If required by rule of the Board, that the
35 institution submit to an additional annual external audit
36 of its enrollment records and nonsectarian use of funds.

1 (b) For the academic year beginning in 2006, institutional
2 grants may be made annually for that and for each succeeding
3 academic year to each private not-for-profit institution of
4 higher learning in an amount determined by allocating amounts
5 for funding this Act among the eligible institutions in
6 accordance with a formula or formulae based upon the number of
7 undergraduate students who are residents of the State of
8 Illinois enrolled as students at each such institution and the
9 number of such students who have completed at least 48 credit
10 hours. Students may remain eligible for the grant no longer
11 than the equivalent of 6 full-time semesters. The Board of
12 Higher Education shall establish formula allocations and adopt
13 rules necessary for the administration of this Act. The goal of
14 this grant program is to increase the number of graduates
15 maintaining residency in the State of Illinois following degree
16 completion.

17 Conditions of institutional eligibility for these grants
18 shall include but need not be limited to the following:

19 (1) That the institution belong to a statewide
20 organization of private institutions that will monitor
21 compliance and collect data regarding the effectiveness of
22 the grants.

23 (2) That the governing board of the institution, or its
24 delegated institutional officials, possess final authority
25 in all matters of local control, including educational
26 policy, choice of personnel, determination of program, and
27 financial management.

28 (3) That the institution possess and maintain an open
29 policy with respect to race, creed, and color as to
30 admission of students, appointment of faculty, and
31 employment of staff.

32 (4) That the institution be able to show its current
33 financial stability and reasonable prospects for its
34 future stability.

35 (5) That the institution not be operated for profit.

36 (6) That the institution provide a full financial

1 report, including a certified audit, and participate in the
2 unit cost study and other studies conducted annually by the
3 Board.

4 (7) If required by rule of the Board, that the
5 institution submit to an additional annual external audit
6 of its enrollment records and nonsectarian use of funds.

7 (8) That the institution match the State's grant for
8 each student.

9 (9) That the grant appear on the student's tuition
10 statement or bill.

11 (10) That the data designed to track the effectiveness
12 of the grant and the institution's compliance be collected
13 from participating institutions.

14 (11) The an institution may decline to participate in
15 the program.

16 (Source: P.A. 92-45, eff. 7-1-02.)

17 Section 99. Effective date. This Act takes effect July 1,
18 2006.